

**Amendments To The Claims:**

This listing of the claims will replace all prior versions, and listings, of claims in the application:

**Listing of the Claims:**

Claims 1-20 (canceled).

21. (currently amended) A ~~programmable conductor random~~  
access memory cell intermediate structure, comprising:

- a substrate;
- a first conductor formed on said substrate;
- an insulator formed on said first conductor, at least one via  
formed within said insulator and extending to said first conductor;
- a metallic material formed in said at least one via; and
- ~~a hard mask formed on said metallic material within said~~  
~~at least one via.~~

a flowable oxide material localized only within said via and  
over said metallic material within said via.

22. (currently amended) The ~~programmable conductor~~  
~~random access memory cell~~ intermediate structure of claim 21, wherein  
said metallic material comprises silver.

23. (cancelled)

24. (currently amended) The ~~programmable conductor~~  
~~random access memory cell~~ intermediate structure of claim 21, wherein  
said metallic material is deposited on a surface of said insulator.

25. (currently amended) A programmable conductor random  
access memory intermediate structure, comprising:

a metallic material formed on a surface of an insulating  
layer and within and over a bottom of a via in said insulating layer; and

~~a hard mask formed over said metallic material in said via.~~

a flowable oxide layer restricted within said via and over  
said metallic material within said via.

26. (previously presented) The programmable conductor  
random access memory intermediate structure of claim 25, wherein said  
metallic material comprises silver.

27. (cancelled)

28. (currently amended) The programmable conductor random access memory intermediate structure of claim 25 ~~27~~, wherein said flowable oxide comprises silicon oxide.

29. (previously presented) The programmable conductor random access memory intermediate structure of claim 28, wherein said silicon oxide is in a flowable form in a temperature range of 50° C to 90° C.